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SC Court of Appeals

December 17, 2019

VIA Hand Delivery

The Honorable Jenny Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: State v. Marquille R. Livingston
Appellate Case No.: 2018-001595

Dear Ms. Kitchings,

It is my understanding Appellant seeks to relieve counsel and proceed *pro se*. The State notes there is no right of self-representation on appeal under either the federal or state constitutions. See Martinez v. Court of Appeal of California, 528 U.S. 152, 120 S.Ct. 684, 145 L.Ed.2d 597 (2000); State v. Roberts, 364 S.C. 583, 588-89, 614 S.E.2d 626, 629 (2005) (finding no state right to proceed *pro se* on appeal and finding it is within the appellate court's discretion whether to allow a person to proceed *pro se*). As a result, it is within this Court's discretion to require Appellant proceed with current capable counsel.

Sincerely,

William M. Blich, Jr.
Senior Assistant Deputy Attorney General
Bar No. 15608

cc: Marquille Livingston Inmate #274774
Lara M. Caudy, Esquire